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Presentment Date: January 12, 2012
Time: 12:00 p.m.

Objections Due: January 12, 2012
Time: 11:00 a.m.

*Attorneys for Irving H. Picard,
Trustee for the Substantively
Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities
LLC and Bernard L. Madoff*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**NOTICE OF PRESENTMENT OF PROPOSED ORDER
ESTABLISHING EXPANDED ACCESS TO ELECTRONIC DATA ROOM 1**

PLEASE TAKE NOTICE that upon the motion (the “Motion”)¹ of Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff (“Madoff”), seeking entry of an order, pursuant to section 105(a) of the United States Bankruptcy Code, 11 U.S.C. §§ 101 *et seq.*, and Rules 7016, 7026 and 9006 of the Federal Rules of Bankruptcy Procedure, expanding access to the electronic data room created by the Trustee pursuant to the Order Establishing Litigation Case Management Procedures for Avoidance Actions and Amending the February 16,

¹ All references to the “Motion” are references to the motion filed on August 5, 2011, requesting entry of: (I) a report and recommendation to the District Court for the appointment of Special Discovery Masters; (II) an Order expanding the Case Management Procedures approved by the Court on November 10, 2010, granting access to the Trustee’s existing electronic data room to additional defendants and establishing procedures for the creation of a separate electronic data room for documents produced to the Trustee; and (III) an Order modifying, in limited fashion, the Litigation Protective Order, dated June 6, 2011 [Dkt. 4137], including superseding all individual confidentiality agreements between the Trustee and any parties. All terms not defined herein shall have such meanings as ascribed to them in the Motion.

2010 Protective Order [Dkt. 3141] (“E-Data Room 1”), the undersigned will present the attached proposed order (the “Proposed Order”) to the Honorable Burton R. Lifland, United States Bankruptcy Judge, for signature and entry on **January 12, 2012 at 12:00 p.m.**

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Proposed Order must: (i) be made in writing; (ii) conform to the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules for the Southern District of New York and other applicable rules and guidelines; (iii) be filed, in accordance with General Order M-399, electronically with the Bankruptcy Court, with a hard copy marked “Chambers Copy” delivered, pursuant to Local Rule 9070-1, to the Chambers of the Honorable Burton R. Lifland, One Bowling Green, New York, New York 10004, and served upon the following: (a) Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J. Sheehan, Esq., Judith A. Selby, Esq., Marc Hirschfield, Esq., Edward J. Jacobs, Esq., and Sarah Jane T.C. Truong, Esq.; and (b) Securities Investor Protection Corporation, 805 Fifteenth Street, N.W., Suite 800, Washington, D.C. 20005, Attn: Kevin H. Bell, Esq., so as to be received no later than **January 12, 2012 at 11:00 a.m.** (the “Objection Deadline”).

PLEASE TAKE FURTHER NOTICE that unless a written objection to the Proposed Order with proof of service is filed with the Court by the Objection Deadline, the relief requested shall be deemed unopposed, there will not be a hearing and the Bankruptcy Court may enter an order granting the relief sought.

PLEASE TAKE FURTHER NOTICE that if an objection to the Proposed Order is timely filed, a hearing may be held before the Honorable Burton R. Lifland, United States Bankruptcy Judge, at a date to be scheduled by the Court, upon such additional notice as the

Court may direct. The moving and objecting parties are required to attend the hearing, and failure to attend in person or by counsel may result in relief being granted or denied upon default.

Dated: New York, New York
January 4, 2012

BAKER & HOSTETLER LLP

By: /s/ David J. Sheehan

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